

KANSAS STATE BOARD OF PHARMACY

NOTICE OF PUBLIC HEARING ON PROPOSED ADMINISTRATIVE REGULATIONS

A public hearing will be conducted at 9:00 a.m. on the 8th day of January 2015, at the Kansas Board of Pharmacy Meeting, Rasmussen College, 620 SW Governor View, Room #116, Topeka, Kansas 66606, to consider the revocation of permanent regulations of the Kansas State Board of Pharmacy.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed revocations to K.A.R. 68-16-1, K.A.R. 68-16-2, K.A.R. 68-16-3, K.A.R. 68-16-4, K.A.R. 68-16-5, K.A.R. 68-16-6, K.A.R. 68-16-7, K.A.R. 68-16-8 and K.A.R. 68-16-9. All parties may submit written comments prior to the hearing to the Executive Secretary of the Kansas Pharmacy Board, Debra Billingsley, by email to Jackie Yingling at Jackie.Yingling@pharmacy.ks.gov, or Kansas Board of Pharmacy, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612. All interested parties will be given a reasonable opportunity to present their views orally on the revocation of K.A.R. 68-16-1 through K.A.R. 68-16-9 during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request each participant to limit any oral presentation to five minutes.

Any individual with a disability may request accommodation in order to participate in the public hearing and may request the regulation and economic impact statement in an accessible format. Requests for accommodation to participate in the hearing should be made at least five working days in advance of the hearing by contacting Jackie Yingling at the Kansas State Board of Pharmacy at Jackie.Yingling@pharmacy.ks.gov or at (785) 296-6504. Handicapped parking is available next to the building at the front door.

A complete copy of the regulation and the economic impact statement may be obtained by contacting the Kansas State Board of Pharmacy.

The following is a brief summary of the proposed revocation of the regulations.

K.A.R. 68-16-1 K.S.A. 65-1664 required the Board of Pharmacy to establish a Cancer Drug Repository Program to accept and dispense prescription-only cancer drugs donated for the purpose of being dispensed to cancer patients who are residents of Kansas and meet eligibility requirements. This statute has been repealed. K.A.R. 68-16-1 defined terms associated with the program.

K.A.R. 68-16-2 This regulation set out the requirements of who could participate in the Cancer Drug Repository Program.

K.A.R. 68-16-3 This regulation set out the requirements of what drugs could be donated to the Cancer Drug Repository Program.

K.A.R. 68-16-4 This regulation set out the requirements of dispensing and packaging of drugs that were donated through the Cancer Drug Repository Program.

K.A.R. 68-16-5 This regulation set out the handling fees that could be charged for dispensing drugs through the Cancer Drug Repository Program.

K.A.R. 68-16-6 This regulation set forth the forms that would be used when distributing and dispensing donated drugs.

K.A.R. 68-16-7 This regulation stated the penalty for selling drugs that had been donated to the Cancer Drug Repository Program.

K.A.R. 68-16-8 This regulation set forth the recordkeeping requirements for those participating in the Cancer Drug Repository Program.

K.A.R. 68-16-9 This regulation set forth the forms that would be used for individuals receiving drugs from the Cancer Drug Repository Program.

Economic Impact. The adoption of these amendments does not have any additional economic impact to the Board of Pharmacy. In addition, The Board does not anticipate that this amendment will have any financial impact upon other governmental agencies or upon private businesses or individuals besides the original impact of implementing such a program.

Copies of the regulations and the economic impact statements may be obtained from the Kansas Pharmacy Board, 800 SW Jackson, Suite 1414, Topeka, Kansas 66612, by calling (785) 296-6504, via email request to Jackie.Yingling@pharmacy.ks.gov or by accessing the Board's website at <http://www.pharmacy.ks.gov>.

Debra Billingsley
Executive Secretary

68-16-1 and 68-16-2. (Authorized by and implementing K.S.A. 2005 Supp. 65-1667; effective Dec. 1, 2006; revoked P-_____.)

68-16-3. (Authorized by and implementing K.S.A. 2007 Supp. 65-1667; effective Dec. 1, 2006; amended April 10, 2009; revoked P-_____.)

68-16-4. (Authorized by and implementing K.S.A. 2005 Supp. 65-1667; effective Dec. 1, 2006; revoked P-_____.)

68-16-5. (Authorized by and implementing K.S.A. 2005 Supp. 65-1665 and K.S.A. 2005 Supp. 65-1667; effective Dec. 1, 2006; revoked P-_____.)

68-16-6, 68-16-7, 68-16-8, and 68-16-9. (Authorized by and implementing K.S.A. 2005 Supp. 65-1667; effective Dec. 1, 2006; revoked P-_____.)

ATTORNEY GENERAL

SEP 15 2014

APPROVED BY



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AUG 27 2014

DEPT. OF ADMINISTRATION

**KANSAS PHARMACY BOARD
ECONOMIC IMPACT STATEMENT**

**K.A.R. 68-16-1, K.A.R. 68-16-2, K.A.R. 68-16-3, K.A.R. 68-16-4,
K.A.R. 68-16-5, K.A.R. 68-16-6, K.A.R. 68-16-7, K.A.R. 68-16-8,
and K.A.R. 68-16-9.**

I. Summary of Proposed Regulations, Including its Purpose.

K.A.R. 68-16-1 through K.A.R. 68-16-9 established a cancer drug repository program that would provide donated cancer drugs to cancer patients. The statutory authority for the regulations was K.S.A. 65-1664, K.S.A. 65-1665, K.S.A. 65-1666, and K.S.A. 65-1667. Those statutes were repealed.

II. Reason or reasons the Proposed Regulations Are Required, Including Whether or Not the Regulations Are Mandated By Federal Law.

The regulations are being revoked because the statutory authority for the regulations have been repealed. The statutes were repealed because the Unused Medication Program took the place of the Cancer Drug Repository.

III. Anticipated Economic Impact upon the Kansas Board of Pharmacy.

There is no economic impact on the Board of Pharmacy, its licensees, or registrants.

IV. Anticipated Financial Impact Upon Other Governmental Agencies and Upon Private Business or Individuals.

The Board does not anticipate economic impact on other governmental agencies or on private businesses or individuals.

V. Less Costly or Intrusive Methods That Were Considered.

No other methods were considered by the Board of Pharmacy for achieving the stated revocation of these rules.